

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 31, 2022
TO: Division of Accounting and Finance, Office of Primary Responsibility
FROM: OFFICE OF COMMISSION CLERK
RE: CONFIDENTIALITY OF CERTAIN INFORMATION

DOCKET NOS: 20220001-EI DOCUMENT NO: 10562-2022

DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Highlighted information on Forms 423-1(a) for 7/22, 8/22, and 9/22; and /Forms 423-2, 2(a), and 2(b) for Plant Scherer and Plant Daniel for 7/22, 8/22, and 9/22.

SOURCE: Florida Power & Light Company

The above confidential material was filed along with a request for confidential classification. Please complete the following form by checking all applicable information and forward it to the attorney assigned to the docket, along with a brief memorandum supporting your recommendation.

- The document(s) is (are), in fact, what the utility asserts it (them) to be.
- The utility has provided enough details to perform a reasoned analysis of its request.
- The material has been received incident to an inquiry.
- The material is confidential business information because it includes:
- (a) Trade secrets;
 - (b) Internal auditing controls and reports of internal auditors;
 - (c) Security measures, systems, or procedures;
 - (d) Information concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms;
 - (e) Information relating to competitive interests, the disclosure of which would impair the competitive business of the provider of information;
 - (f) Employee personnel information unrelated to compensation, duties, qualifications, or responsibilities;
- The material appears to be confidential in nature and harm to the company or its ratepayers will result from public disclosure.
- The material appears not to be confidential in nature.
- The material is a periodic or recurring filing and each filing contains confidential information.

This response was prepared by /s/Daniel Cordell on 11/1/2022, a copy of which has been sent to the Office of Commission Clerk and the Office of General Counsel.

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-M-E-M-O-R-A-N-D-U-M-

DATE: November 1, 2022

TO: Suzanne S. Brownless, Special Counsel, Office of the General Counsel

FROM: Daniel Cordell, Public Utility Analyst II, Division of Accounting & Finance

RE: CONFIDENTIALITY OF CERTAIN INFORMATION
DOCKET NO: 20220001-EI DOCUMENT NO: 10562-2022
DESCRIPTION: FPL (Lee) - (CONFIDENTIAL) Highlighted information on Forms 423-1(a) for 7/22, 8/22, and 9/22; and /Forms 423-2, 2(a), and 2(b) for Plant Scherer and Plant Daniel for 7/22, 8/22, and 9/22.

SOURCE: Florida Power & Light Company

Pursuant to Section 366.093, Florida Statutes (F.S.), and Rule 25-22.006, Florida Administrative Code, Florida Power & Light Company (FPL or Company) requests confidential classification of certain information filed in the above-referenced docket, dated October 31, 2022.

The Company is claiming confidentiality of its filing under Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S. Per the Statute, propriety of confidential business information includes, but is not limited to: Subsection (d) “[i]nformation concerning bids or other contractual data, the disclosure of which would impair the efforts of the public utility or its affiliates to contract for goods or services on favorable terms,” and Subsection (e) “[i]nformation relating to competitive interests, the disclosure of which would impair the competitive business of the provider of the information.”

More specifically, the information at issue relates to actual purchase amounts pursuant to confidential contracts negotiated by and between the Company and certain energy providers. As such, the relevant information if disclosed would impair the efforts of FPL to contract for goods and services on favorable terms. This information has historically been treated as confidential. Further, FPL requests that the information for which the Company seeks confidential classification not be declassified until 24 months after the issuance of a Commission order disposing of this request. The Company claims this time period is necessary to allow it to negotiate future contracts without its competitors having access to information which would adversely affect the ability of FPL to negotiate future contracts.

Staff has reviewed the Company's confidentiality request. It is staff's opinion that the information subject to this request meets the criteria for confidentiality contained in Section 366.093(3)(d), F.S., and Section 366.093(3)(e), F.S.